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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,879	03/30/2004	Bin Wei	129545-1	2878
23413	7590	10/04/2006		
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			EXAMINER POPOVICS, ROBERT J	
			ART UNIT	PAPER NUMBER
			1724	

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,879

Applicant(s)

WEI ET AL.

Examiner

Robert J. Popovics

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

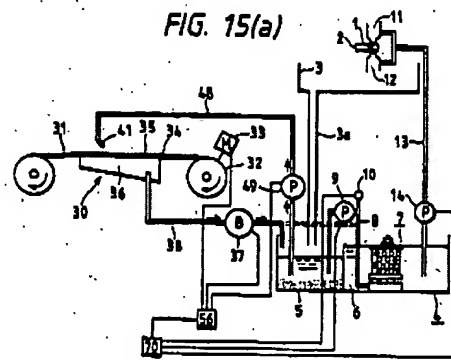
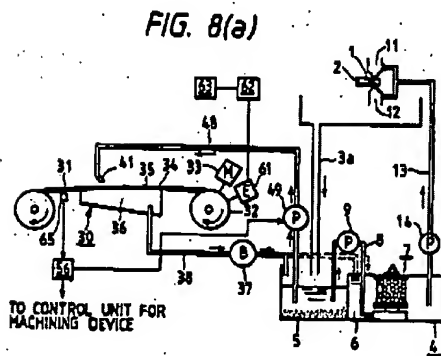
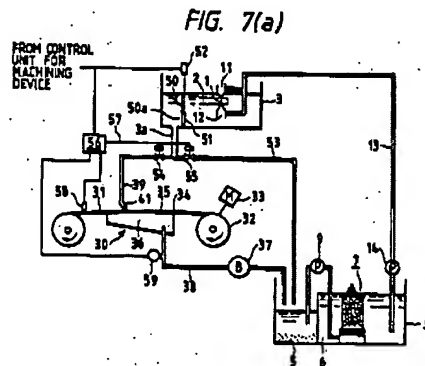
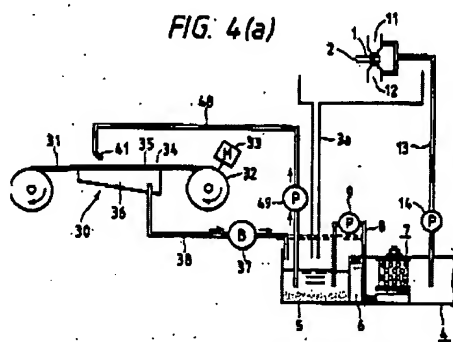
Attachment(s)

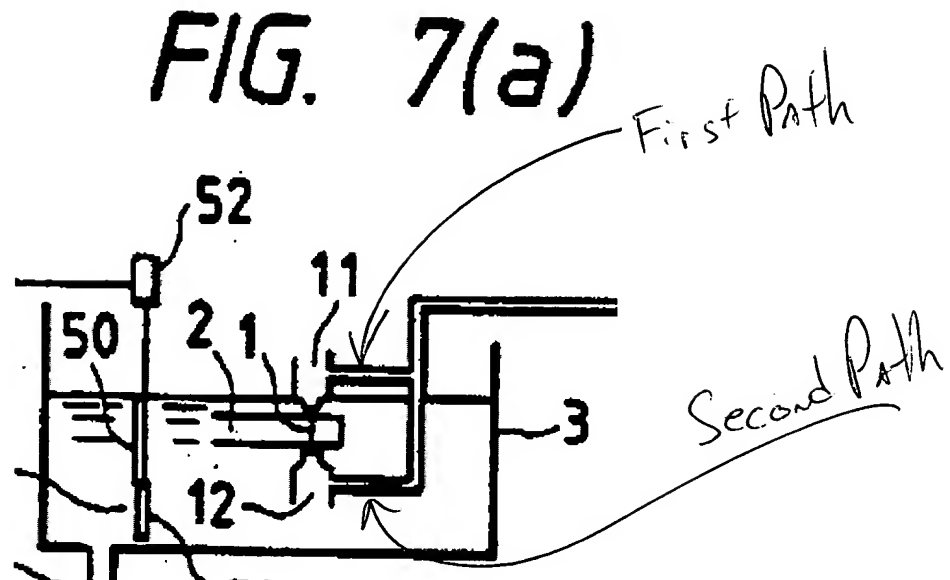
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|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/1/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

Claims 1-3,5,7,8,10 and 13-15,19,20 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by. See Figures 4(a), 7(a), 8(a) and 15(a) each of which illustrates two stage filtration in an EDM:





Claims 5,11,12 ,17,23 and 24 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Suzuki (US 5,221,467)**. It is noted that the use of "guides" as recited in claims 5,11,12 ,17,23 and 24, is well known in the art. It is submitted that the use of a guide in the system of Suzuki would be inherent. Alternatively, it is submitted that the use of a guide in the system of Suzuki would have been obvious by virtue of the well known status of guides.

Claim Rejections - 35 USC § 103

Claims 5,11,12 ,17,23 and 24 are ***alternatively*** rejected under 35 U.S.C. 103(a) as being unpatentable over the combined teachings of **Suzuki (US 5,221,467)** and **Hosaka (US 6,533,927)**. Hosaka discloses guide 13. The use of a guide in the system of Suzuki would have been obvious in view of the teachings of Hosaka.

Claims 4,6,9,16,18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Suzuki (US 5,221,467)**. The additional subject matter of claims 4,6,9,16 and 18 merely recites features which are conventional, or would have been

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readily apparent to those skilled in the art. It is noted that the use of sloped tank bottoms to direct accumulated debris is notoriously well known in the art. It is known that the use of control systems employing pressure sensors at various points in a system is notoriously well known in the art. The use of additional pumps and flowpath configurations would have been readily apparent to those skilled in the art for various reasons, including, but not limited to, reducing the size of the pump and/or piping, avoiding points of stagnation in either tanks, using materials on hand (as opposed to buying), redundancy, to permit cycling and/or maintenance of the pumps/lines, etc. Accordingly, claims 4,6,9,16,18 and 21 are not seen to patentably distinguish over Suzuki (US 5,221,467).

Election/Restrictions

Election of species requirement is withdrawn.

Any inquiry concerning this communication should be directed to Robert J. Popovics at telephone number (571) 272-1164.

A large, stylized handwritten signature in black ink, appearing to read 'RJP' followed by a flourish.

Robert James Popovics
Primary Examiner
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A handwritten mark or signature in black ink, consisting of a horizontal line with a vertical stroke intersecting it.